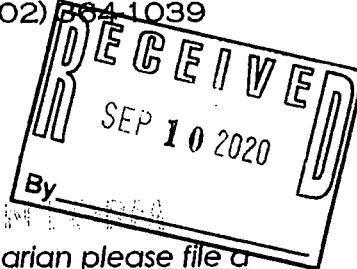


ARIZONA STATE VETERINARY MEDICAL EXAMINING BOARD

1740 W. ADAMS ST., SUITE 4600, PHOENIX, ARIZONA 85007

PHONE (602) 364-1PET (1738) FAX (602) 364-1039

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**COMPLAINT INVESTIGATION FORM**

If there is an issue with more than one veterinarian please file a
separate Complaint Investigation Form for each veterinarian

PLEASE PRINT OR TYPE

FOR OFFICE USE ONLYDate Received: Sept. 10, 2020 Case Number: 21-20**A. THIS COMPLAINT IS FILED AGAINST THE FOLLOWING:**Name of Veterinarian/CVT: Kelly CollinsPremise Name: Pets at Rest In Home Pet Euthanasia

Premise Address: _____

City: _____ State: AZ Zip Code: _____Telephone: 480-584-1874**B. INFORMATION REGARDING THE INDIVIDUAL FILING COMPLAINT*:**Name: Jacob A. Hamby

Address: _____

City: _____ State: _____ Zip Code: _____

Home Telephone: _____ Cell Telephone: _____

*STATE LAW REQUIRES WE HAVE TO DISCLOSE YOUR NAME UNLESS WE CAN SHOW THAT DISCLOSURE WILL RESULT IN SUBSTANTIAL HARM TO YOU, SOMEONE ELSE OR THE PUBLIC PER A.R.S. § 41-1010. IF YOU HAVE REASON TO BELIEVE THAT SUBSTANTIAL HARM WILL RESULT IN DISCLOSURE OF YOUR NAME PLEASE PROVIDE COPIES OF RESTRAINING ORDERS OR OTHER DOCUMENTATION.

SEP 09 2020

C. PATIENT INFORMATION (1):

Name: Lola Hamby
Breed/Species: Chihuahua/Canine
Age: 16 Sex: Female Color: Tan

PATIENT INFORMATION (2):

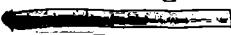
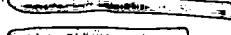
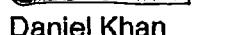
Name: _____
Breed/Species: _____
Age: _____ Sex: _____ Color: _____

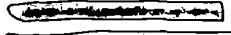
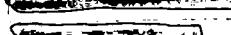
D. VETERINARIANS WHO HAVE PROVIDED CARE TO THIS PET FOR THIS ISSUE:

Please provide the name, address and phone number for each veterinarian.

E. WITNESS INFORMATION:

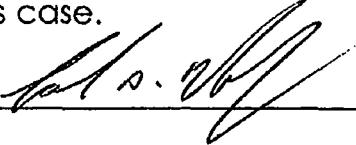
Please provide the name, address and phone number of each witness that has direct knowledge regarding this case.

Lauren Gengozian




Daniel Khan
PALS General Manager




Attestation of Person Requesting Investigation

By signing this form, I declare that the information contained herein is true and accurate to the best of my knowledge. Further, I authorize the release of any and all medical records or information necessary to complete the investigation of this case.

Signature: 

Date: 07 SEP 2020

F. ALLEGATIONS and/or CONCERNS:

Please provide all information that you feel is relevant to the complaint. This portion must be either typewritten or clearly printed in ink.

I had Dr. Kelly Collins from Pets at Rest come help with the passing of my 16 year 8 month old dog Lola, I had since an 8-week old puppy. This was on Saturday August 8th at 1600. This Vet, Dr Collins was very reassuring that my Lola was in good hands as she took her away because I wanted her cremated. I initially paid for an unwitnessed cremation but changed my mind the very next day and emailed the crematory, PALS, and asked them to change it to a witnessed single cremation. The subject line in my email on Sunday August 9th read: Lola Hamby- Tan Female Chihuahua. I received an email back stating to call the facility to make the changes, to which I did as soon as they opened on Monday August 10th. I called PALS 3 times this same day August 10th asking if my Dog Lola had arrived yet. I texted Dr. Collins this same day, Monday, at 1556 asking if my Lola was picked up because she hadn't arrived to the crematory yet. She reassured me again that she was in good hands and my exact text read "Lola was the best Dog that could've ever came into my life and I just want to make sure her ashes get back to me and my family safe and sound". Her response was "I understand. Almost all Dogs are special but some just have that extra something to them". Lola didn't arrive until after 1800 that day so I called back first thing in the morning on Tuesday August 11th asking once again if my Dog Lola had arrived safely, to which I was told " Yes we have your baby here". PALS had to push out her cremation date due to construction so it was scheduled for Thursday September 3rd at 0930 with the possibility of moving it up if construction finished earlier. I called a couple weeks after she was there to see if the cremation could be moved up, once again asking about my Dog Lola, but it couldn't. I called again The Friday before her cremation, August 28th to confirm my Dog Lola's cremation and to get specifics about what to expect. I called again Monday August 31st, once again always referring to my Dog Lola, to ask a few more questions. We show up Thursday September 3rd for our final viewing and goodbye and to loosely watch my Lola's cremation so I knew I was going to bring her ashes home with me. We walk into the viewing room and there's a Cat that was tagged as my Dog Lola! My sweet Lola was cremated Monday August 31st, 4 days prior to our service, mixed in with 25 other animals as a communal cremation! Dr. Kelly Collins tagged Lola as a Cat named Benji who she euthanized the same day, and tagged Benji the Cat as Lola. She admitted to not entering the animal's information into the tracking system until she got home and never double checked the pets. The crematory never checked the species every time I called as well. Total carelessness on Dr. Collins to not have entered my Lola into the computer barcoding system while in my house, or before coming into my house, or for putting a name tag on my sweet Lola before leaving my house. Where are the double checks, where are the protocols, where are the call backs to families ensuring proper tracking? We pay for these services from professionals because our pets mean the world to us, and such care should be taken. This is why these services exist! I'm left with absolutely nothing now! My Lola meant the world to me, changed me as a person, was a member of my family, taught my kids valuable lessons about love and patience, waited to pass until I got home from a military deployment, and she was robbed from my family and especially from me. I want justice for my Lola and to ensure that this never happens to anyone else no matter what. There needs to be hard documentation protocols in place across the board, just as any medical facility has in place for procedures and transportation of bodies. Lola was not "Property" as the law states, she was my companion and family member. Because she is considered "Property" this is the only course of action I can take to ensure she gets the Justice she deserves for being carelessly disposed of and never being able to come home.

Kelly Collins, DVM
24936 N. 74th Place
Scottsdale, AZ 85255

October 3, 2020

Arizona State Veterinary Medical Examining Board
Attn: Tracy A. Riendeau, CVT
1740 W. Adams Street, Suite 4600
Phoenix, AZ 85007

21-20, In Re: Kelly Collins, DVM

Ms. Riendeau and Board Members:

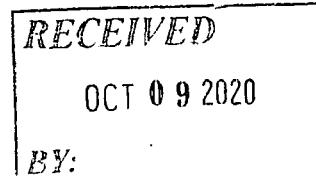
I have enclosed copies of all medical records and communication with Mr. Jacob Hamby regarding his 16 year old female tan chihuahua, "Lola."

On August 8, 2020, I performed an in-home euthanasia of Lola for Mr. Hamby. The euthanasia went smoothly. At the time of the euthanasia, Mr. Hamby requested and paid for an individual cremation with ashes returned. On August 10, 2020, I confirmed for Mr. Hamby via text message that Lola's body was picked up by PALS, the crematorium that was to perform Lola's cremation. I did not learn of Mr. Hamby's desire to change the requested services with PALS from individual cremation with ashes returned to a witnessed individual cremation until after the events described in Mr. Hamby's complaint as Mr. Hamby had been communicating directly with PALS and PALS did not inform me of changes or communication with Mr. Hamby.

August 31, 2020 was the next time I heard from Mr. Hamby or PALS regarding Lola. Prior to this date, neither Mr. Hamby nor the crematory had contacted me about any changes in services or concerns. Mr. Hamby was understandably upset as, it is my understanding that when he went to view Lola's cremation, he was instead, presented with a cat.

I do not know how the error occurred. However, once I was informed that the bag marked as containing Lola's body contained the remains of a cat, I took ownership of the error, provided Mr. Hamby with my sincere apology, and refunded all fees. My process for ensuring that a pet receives the desired after-care is as follows:

- 1) Each pet is placed in an individual bag;
- 2) Each bag has paperwork tagged to it that identifies the pet and the owner's after care instructions. This tag states the pet type, breed, color, sex, and owner.
- 3) The pet's body remains in the freezer until picked up by the crematory; and
- 4) As further check on the process, the crematory had represented to me that individual cremations are performed before communal cremations. They hold the communal pets



until all individual cremations are performed just in case there is a mix up or the owner changes their mind as to how they want the pets processed.

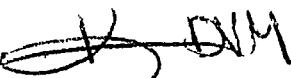
5) Finally, I am to be informed by PALs about any changes/communication to any of my clients regardless whether or not the owner has contacted me. This gives me the opportunity to assure things are dealt with accurately and appropriately on my end and to the satisfaction of my client.

The above process has never before led to an outcome like what occurred with Lola. In my communication with Mr. Hamby, I explained that I must have put the cat's label on Lola's bag and Lola's label on the cat's bag - I immediately took responsibility.

I later learned that PALS had cremated the communal pets prior to the individual/witness pets therefore his dog was already cremated amongst the other pets. I brought this up to Mr. Hamby only as a way of explaining the additional control that was supposed to be in the process, not as a way of shifting the burden. If the individual cremations had been done first, it would have been noticed that a cat was in the bag with Lola's information, and Lola's body could have been found, cremated, and Mr. Hanby would have Lola's ashes. However, since the communal cremation was already performed, Mr. Hamby was left without getting Lola's ashes.

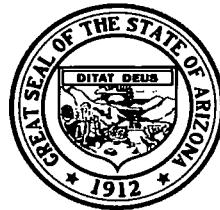
I am very sorry that Mr. Hamby did not get Lola's ashes. I understand how much this meant to him. To ensure that something like this does not happen again, I visualize each pet at the time the information tag is attached. I have also been in contact with the crematory and re-addressed multiple times that I am to be notified with any changes to one of my clients so that I may advocate for my clients throughout the process and ensure quality control is being executed on its end as well.

Sincerely,



Kelly-Collins, DVM

DOUGLAS A. DUCEY
- GOVERNOR -



VICTORIA WHITMORE
- EXECUTIVE DIRECTOR -

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INVESTIGATIVE COMMITTEE REPORT

TO: Arizona State Veterinary Medical Examining Board

FROM: AM Investigative Committee: Robert Kritsberg, DVM - Chair
Christina Tran, DVM
Carolyn Ratajack
Jarrod Butler, DVM - **Absent**
Steven Seiler

STAFF PRESENT: Tracy A. Riendeau, CVT – Investigations
Marc Harris, Assistant Attorney General

RE: Case: 21-20

Complainant(s): Jacoby A. Hamby

Respondent(s): Kelly Collins, DVM (License: 3599)

SUMMARY:

Complaint Received at Board Office: 9/10/20

Committee Discussion: 2/2/21

Board IIR: 3/17/21

APPLICABLE STATUTES AND RULES:

Laws as Amended August 2018

(Lime Green); Rules as Revised

September 2013 (Yellow)

On August 8, 2020, "Lola," a 16+-year-old female Chihuahua was euthanized by Respondent. Complainant elected to have the dog individually cremated with the ashes returned. The next day, Complainant wanted to witness the cremation; a date and time was set up with the crematorium.

On September 3, 2020, when Complainant went to view the cremation of his dog, a cat was in the viewing room. After some research, it was determined that Respondent mislabeled the dog and she was communally cremated four days earlier on August 31, 2020.

Complainant was noticed and appeared telephonically.

Respondent was noticed and appeared telephonically. Attorney, David Stoll, was present.

The Committee reviewed medical records, testimony, and other documentation as described below:

- Complainant(s) narrative: Jacoby Hamby
- Respondent(s) narrative/medical record: Kelly Collins, DVM
- Crematory narrative/ records: PALS Crematory Service

PROPOSED 'FINDINGS of FACT':

1. On August 8, 2020, Respondent performed an in-home euthanasia on the dog. Complainant requested and paid for an individual cremation with ashes returned. Complainant decided he wanted to witness the cremation of his dog and contacted the crematorium - PALS.
2. On August 11, 2020, the crematorium confirmed they had the dog's remains and schedule the viewing to witness the cremation for September 3, 2020. It was scheduled so far out due to the crematory premises undergoing construction.
3. On September 3, 2020, Complainant arrived at PALS to view the dog and witness the cremation. When Complainant entered the viewing room there was a cat labeled as Complainant's dog. After doing some research, crematory staff discovered that the only other pet that was the dog's size that they had picked up the same day from Respondent was a 12 pound cat named "Benji." Complainant was informed that his dog had been communally cremated four days earlier on August 31, 2020.
4. Respondent was contacted by Complainant and PALS and made aware of the incident. Respondent took responsibility for the error – she admitted to mislabeling the dog with the cat she had also euthanized that day. She apologized to Complainant and refunded all fees.
5. Respondent stated in her narrative that typically the crematory holds the pets for communal cremations until all individual cremations are performed just in case there is a mix up or the pet owner changes their mind. Additionally, Respondent relayed that she is to be contacted by the crematory of any changes or communication from her clients so she has the opportunity to assure things are dealt with accurately and appropriately on her end.
6. Respondent explained that moving forward, she will visualize each pet at the time the information tag is attached. Furthermore, she has been in contact with the crematory and re-addressed that she is to be notified of any changes to one of her clients so she may advocate for her clients throughout the process and ensure quality control is being executed.
7. PALS did give Complainant a portion of the communal ashes that included the dog, as well as offering to take him out to Sunland Memorial Park for Complainant to spread the cremains from that day's communal cremation once they were ready to be spread.

COMMITTEE DISCUSSION:

The Committee discussed that they did not see a violation with respect to Respondent. The Committee was appreciative of the changes Respondent has made to her process and has spoken to the crematory. The issue was complicated by the pet owner changing his mind and not communicating his change to Respondent. Additionally, the crematory did not advise Respondent of the change of services either. It was an unfortunate circumstance.

The Committee expressed concerns with the crematory and their protocols.

COMMITTEE'S PROPOSED CONCLUSIONS of LAW:

The Committee concluded that no violations of the Veterinary Practice Act occurred.

COMMITTEE'S RECOMMENDED DISPOSITION:

Motion: It was moved and seconded the Board:

Dismiss this issue with no violation

Vote: The motion was approved with a vote of 4 to 0.

2nd Motion: It was moved and seconded the Board:

Open an investigation with respect to PALS-Pet & Animal Lovers Services, Inc. policies and procedures.

Vote: The motion was approved with a vote of 4 to 0.

The information contained in this report was obtained from the case file, which includes the complaint, the respondent's response, any consulting veterinarian or witness input, and any other sources used to gather information for the investigation.

TR

Tracy A. Riendeau, CVT
Investigative Division



DOUGLAS A. DUCEY
GOVERNOR

VICTORIA WHITMORE
EXECUTIVE DIRECTOR

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IN ACCORDANCE WITH A.R.S. § 32-2237(D): "IF THE BOARD REJECTS ANY RECOMMENDATION CONTAINED IN A REPORT OF THE INVESTIGATIVE COMMITTEE, IT SHALL DOCUMENT THE REASONS FOR ITS DECISION IN WRITING."

At the April 21, 2021 meeting of the Arizona State Veterinary Medical Examining Board, the Board considered the recommendations of the Investigative Committee regarding case number 21-20 In Re: Kelly Collins, DVM.

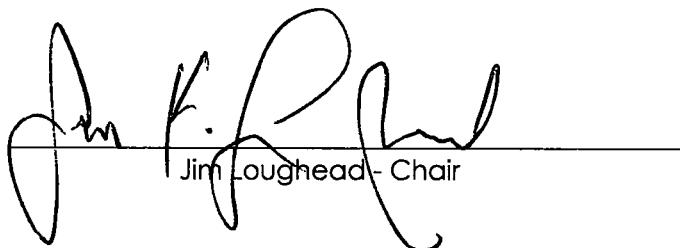
The Board considered the Investigative Committee's Findings of Fact and Conclusions of Law:

- ❖ *Dismiss this issue with no violation.*

Following discussion, the Board concluded that Respondent's conduct was unprofessional and voted to offer Dr. Collins a Consent Agreement finding her in violation of ARS § 32-2232 (12) as it relates to AAC R3-11-501 (1) for failure to provide professional acceptable procedures by mislabeling the pet's remains/mixing up the tags and not completing the paperwork.

Respectfully submitted this 19th day of May, 2021.

Arizona State Veterinary Medical Examining Board



A handwritten signature in black ink, appearing to read "Jim Loughead", followed by a horizontal line and the title "Chair".